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ATTORNEY DOCKET NO. 127P/PCT/US

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CERTIFICATE OF MAILING

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV 921126709 US with sufficient postage on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ If checked, two copies of this correspondence are enclosed.

Date of Deposit: 10-13-2006

Signature

Dawn M. Janelle

Printed name of person mailing correspondence

Applicant: DONG, Zheng Xin
Serial No.: 10/542,227
Filed: April 5, 2006
Title: PEPTIDE YY ANALOGS

Art Unit: 1646
Examiner: Unknown

**FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO
CHARGE DEPOSIT ACCOUNT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or
(Whichever occurs last of the following: within three months of filing national application; within three months of date of entry of the national stage in international application; before the mailing date of first office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination)

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a Petition under 37 CFR 1.97(d)(2), and

☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☐ Applicant requests that the attached IDS and cited reference(s) [] be placed in the application filewrapper.
(Filed after payment of issue fee)

☒ All of the listed references were cited in a European Search Report in a counterpart European application or cited in a communication from a foreign patent office in a counterpart foreign application.

- ☐ Enclosed herewith is form PTO/1449 (1 page; reproduced form), with a copy of each reference noted thereon.
- ☒ Enclosed herewith is form PTO/1449 (1 page; reproduced form), with a copy of selected references noted thereon. As per the change to 37 CFR 1.98(a)(2) published in the September 21, 2004 Federal Register and effective as of October 21, 2004, in which the requirement for a copy of each U.S. Patent or U.S. Patent application publication listed in an IDS has been eliminated regardless of the filing date of the application (unless required by the Office), copies of any United States Patent or Patent Publications are not enclosed.
- ☐ Copies of the reference(s) noted on the enclosed form PTO/1449 (N pages, reproduced form) were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)). Applicants request that copies of art in U.S. Application Serial No. [] cited on the enclosed PTO/1449 form be transferred to the present U.S. Application Serial No. [].

Concise Explanation Requirement (non-English references):

- ☐ The "concise explanation" requirement for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ the enclosed English language abstracts, the enclosed English language documents reasonably believed to be English equivalents.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO/SB/08B appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Statement Under 37 CFR 1.97(e):

- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- ☒ No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- ☒ The Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,
BIOMEASURE, INCORPORATED

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PCT/0449 REPRODUCED

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

 ATTORNEY DOCKET NO.
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BIO-127.1US

 APPLICATION NO.
10/542,227

 APPLICANT
DONG, Zheng Xin

 FILING DATE
April 5, 2006

 GROUP/EXAMINER
1646/Unknown

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
/R.T./	AA	5,710,246	Jan. 20, 1998	Funk et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
/R.T./	AB	00/34332	Jun. 15, 2000	WIPO/PCT			
↓	AC	01/58409	Aug. 16, 2001	WIPO/PCT			
	AD	94/19370	Sep. 01, 1994	WIPO/PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

/R.T./	AE	KEIRE, D. A. et al., "Structure and receptor binding of PYY analogs," Peptides, 2002, 23(2):305-21.

EXAMINER

/R.T./

/Roy Teller/

DATE CONSIDERED

02/26/2009